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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,775	11/28/2000	David C. Wilkins	DIGIP023	7663

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Patent Lean Staff
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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/724,775	Applicant(s) WILKINS ET AL.	
	Examiner Joseph R. Pokrzywa	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments in Appeal Brief

1. Applicant's arguments in the Appeal Brief, filed 8/10/05, see pages 2-7, with respect to the rejection of claims 1-18, which was cited as being anticipated by Parulski *et al.* (U.S. Patent Number 6,573,927) in the Office action dated 4/14/05, have been fully considered and are persuasive. The examiner concedes that Parulski fails to specifically teach of synchronizing distributed multimedia assets. Therefore, the finality of the rejection of the Office action dated 4/14/05 of claims 1-18 has been withdrawn.
2. However, upon further consideration, a new ground(s) of rejection is made in view of Yokomizo *et al.* (U.S. Patent Number 6,522,418).

Claim Objections

3. **Claims 11 and 12** are objected to because of the following informalities:

In *claim 11*, line 7, the phrase "based upon coupled to the first means" is unclear and should read "based upon the modifying if the first means";

in *claim 12*, lines 3 and 4, the phrase "corresponding to coupled to the first means" is unclear and should read "corresponding to the first means".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Yokomizo *et al.* (U.S. Patent Number 6,522,418).

Regarding **claim 1**, Yokomizo discloses a method, in a distributed network (see Figs. 5-8), for automatically synchronizing each of a set of distributed multimedia assets (see abstract, and column 5, line 47-column 6, line 28) comprising modifying a particular one of the set of distributed multimedia assets (see abstract, and column 5, line 47-column 6, line 28) and automatically synchronizing others of the set of distributed multimedia assets based upon the modifying step (see abstract, and column 5, line 47-column 6, line 28).

Regarding **claim 2**, Yokomizo discloses the method discussed above in claim 1, and further teaches of generating an update edit list corresponding to the modifying step (column 5, line 47-column 6, line 28, and column 10, lines 27-36).

Regarding **claim 3**, Yokomizo discloses the method discussed above in claim 2, and further teaches that the automatically synchronizing comprises forwarding the update edit list to the others of the set of distributed multimedia assets (column 5, line 47-column 6, line 28, and column 10, lines 27-36), and modifying each of the others of the set of distributed multimedia

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assets based upon the forwarded update edit list (see abstract, and column 5, line 47-column 6, line 28).

Regarding *claim 4*, Yokomizo discloses the method discussed above in claim 1, and further teaches of generating a resultant multimedia asset corresponding to the modifying step, wherein the resultant multimedia asset is formed of a digital negative of the particular one of the set of multimedia assets (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54) and a corresponding edit list, wherein the edit list represents all modifications made to the digital negative (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding *claim 5*, Yokomizo discloses the method discussed above in claim 4, and further teaches that the automatically synchronizing comprises replacing each of the others of the set of distributed multimedia assets with the resultant multimedia asset (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding *claim 6*, Yokomizo discloses the method discussed above in claim 1, and further teaches that the multimedia asset is a digital image (column 5, line 20-column 6, line 28).

Regarding *claim 7*, Yokomizo discloses the method discussed above in claim 6, and further teaches that the digital image is one of a plurality of associated digital images (column 5, line 20-column 6, line 28).

Regarding *claim 8*, Yokomizo discloses the method discussed above in claim 7, and further teaches that the plurality of associated digital images take the form of an album (column 4, lines 6-13, and column 10, lines 27-45).

Regarding *claim 9*, Yokomizo discloses the method discussed above in claim 1, and further teaches that the edit list is one of a number of edit lists included in a catalog file (column 5, line 47-column 6, line 28, column 10, lines 27-36, and column 19, line 40-column 20, line 14).

Regarding *claim 10*, Yokomizo discloses the method discussed above in claim 9, and further teaches that each of the number of edit lists included in the catalog file are associated with a particular multimedia asset (column 5, line 47-column 6, line 28, column 10, lines 27-36, and column 19, line 40-column 20, line 14).

Regarding *claim 11*, Yokomizo discloses an apparatus, in a distributed network (see Figs. 5-8), for automatically synchronizing each of a set of distributed multimedia assets (see abstract, and column 5, lines 47-column 6, line 28), comprising a first means for modifying a particular one of the set of distributed multimedia assets (see abstract, and column 5, lines 47-column 6, line 28), and a second means for automatically synchronizing others of the set of distributed multimedia assets based upon coupled to the first means (see abstract, and column 5, lines 47-column 6, line 28).

Regarding *claim 12*, Yokomizo discloses the apparatus discussed above in claim 11, and further teaches of a third means for generating an update edit list corresponding to coupled to the first means based upon the modifying (column 5, line 47-column 6, line 28, and column 10, lines 27-36).

Regarding *claim 13*, Yokomizo discloses the apparatus discussed above in claim 12, and further teaches of fourth means coupled to the third means for forwarding the update edit list to the others of the set of distributed multimedia assets (column 5, line 47-column 6, line 28, and column 10, lines 27-36), and a fifth means coupled to the fourth means for modifying each of the

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others of the set of distributed multimedia assets based upon the forwarded update edit list (see abstract, and column 5, line 47-column 6, line 28).

Regarding *claim 14*, Yokomizo discloses the apparatus discussed above in claim 11, and further teaches of sixth means coupled to the first means for generating a resultant image corresponding to the modified multimedia asset wherein the resultant image is formed of a digital negative of the particular one of the set of multimedia assets (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54) and a corresponding full edit list, wherein the full edit list represents all modifications made to the digital negative (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding *claim 15*, Yokomizo discloses the apparatus discussed above in claim 14, and further teaches that the automatically synchronizing comprises a seventh means coupled to the first means for replacing each of the others of the set of distributed multimedia assets with the resultant multimedia asset (see abstract, column 5, line 47-column 6, line 28, and column 7, line 54-column 8, line 54).

Regarding *claim 16*, Yokomizo discloses the apparatus discussed above in claim 12, and further teaches that the multimedia asset is a digital image (column 5, line 20-column 6, line 28).

Regarding *claim 17*, Yokomizo discloses the apparatus discussed above in claim 16, and further teaches that the digital image is one of a plurality of associated digital images (column 5, line 20-column 6, line 28)

Regarding *claim 18*, Yokomizo discloses the apparatus discussed above in claim 17, and further teaches that the plurality of associated digital images take the form of an album (column 4, lines 6-13, and column 10, lines 27-45).

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Citation of Pertinent Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Venable (U.S. Patent Number 6,557,017) discloses an image production system; and

Fujita et al. (U.S. Patent Number 6,292,619) discloses an image editing system.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622



jrj